

REMARKS

In the present Amendment, claim 1 has been amended to recite “wherein R^{1a}, R^{2a} and R^{3a} respectively denote non-substituted alkyl group or a halogenated alkyl group” and “that none of R^{4a}, R^{5a}, L^{1a}, L^{2a}, L^{3a}, L^{4a} and L^{5a} has any polymerizable group.” These amendments are supported at, for example, page 18, lines 10-13 as well as page 19, lines 13-16 and page 21, lines 16-18, respectively.

Claim 9 has been amended to recite “that none of R^{4a}, R^{5a}, L^{1a}, L^{2a}, L^{3a}, L^{4a} and L^{5a} has any polymerizable group.” This amendment is supported at, for example, page 19, lines 13-16 and page 21, lines 16-18.

Claim 10 has been amended to recite “R^{6a}, R^{7a} and R^{8a} respectively denote a non-substituted branched alkyl group or a halogenated branched alkyl group.” This amendment is supported at, for example, page 22, lines 1-14 of the specification.

Claim 11 has been amended to recite “wherein R^{1b}, R^{2b} and R^{3b} respectively denote a non-substituted alkyl group or a halogenated alkyl group.” This amendment is supported, for example, from page 38, line 11 through page 39, line 3 of the specification.

Claim 12 has been amended to recite “that none of R^{4b}, R^{5b}, L^{1b}, L^{2b}, L^{3b}, L^{4b} and L^{5b} has any polymerizable group.” This amendment is supported at, for example, page 40, lines 3-11 of the specification.

Solely to compact prosecution, and without prejudice or disclaimer, Applicants have amended claims 1 and 9-12. As seen below, these amendments are not relied upon to overcome any rejections in the present Office Action.

Claims 2, 3, 7, 12 and 17 have been amended to improve their grammar and to correct typographical errors.

Upon entry of the Amendment, which is respectfully requested, claims 1-18 will be pending.

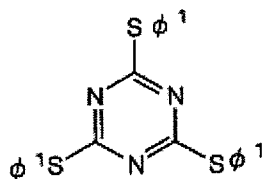
In Paragraph No. 2 of the Action, claims 1-10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Sugiyama et al (U.S. Patent. 6,166,125) (“Sugiyama”).

Notably, the Examiner asserts that:

“Sugiyama teaches a graded-refractive index optical plastic material comprising a fluorine-containing polymer and at least one fluorine containing polycyclic compound. See Sugiyama, Abstract; col. 2, line 37 through col. 3, line 36; col. 5, lines 15-25. Sugiyama further teaches a polymerizable composition for producing an optical member comprising a polymerizable monomer, an initiator and a compound of present formula (1a). See Sugiyama, Example 2.” See paragraph 2 of the Office Action.

In response, Applicants respectfully traverse.

Claims 1, 9, 10, and claims dependent thereon are not anticipated by Sugiyama for at least the following reasons. Although the following formula reproduced from Sugiyama, having a 1,3,5-triazine residue, is described in Sugiyama, column 5, lines 15-25, the scope of Sugiyama’s formula does not overlap with the scope of the formula (1a) in claim 1, (2a) in claim 9, or (3a) in claim 10.



Referring to the description of Sugiyama at the column 4, lines 36-38, the description recites, "In this specification, Φ^g (wherein g is an integer of from 1 to 6) represents a residue having g fluorine atoms removed from perfluorobenzene."

This means that the above mentioned formula of Sugiyama has three benzene rings substituted by fluorine atoms as Φ^g .

On the other hand, the compound represented by formula (1a) in claim 1 has R^{1a} , R^{2a} and R^{3a} in the place of Φ^g . The compound represented by formula (2a) in claim 9 has R^{4a} and R^{5a} in the place of Φ^g . The compound represented by formula (3a) in claim 10 has R^{6a} , R^{7a} , and R^{8a} in the place of Φ^g . The definitions of R^{1a} , R^{2a} and R^{3a} in claim 1, of R^{4a} , R^{5a} and R^{6a} in claim 9, and of R^{6a} , R^{7a} , and R^{8a} in claim 10 are totally different from that of the substituent Φ^g in the above mentioned formula of Sugiyama.

In addition, Example 2 of Sugiyama does not appear to mention any triazine molecules.

Therefore, Sugiyama does not disclose or suggest any compounds represented by the formulae (1a), (2a), or (3a). Accordingly, Sugiyama does not anticipate claims 1, 9, 10, or claims dependent thereon.

Reconsideration and withdrawal of the § 102 anticipation rejection of claim 1-10 based of Sugiyama are respectfully requested.

In Paragraph No. 5 of the Action, claims 11-18 are rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Sugiyama in combination with Komoriya et al (U.S. Patent

7,060,771) ("Komoriya"). (We assume claim 18 to be part of this rejection although not explicitly stated in Paragraph No. 5).

In response, Applicants respectfully traverse.

Claim 11 and claims dependent thereon are not rendered obvious for at least the following reasons.

For the same reasons discussed above, Sugiyama does not teach or suggest a structure represented by formula (2b) of claim 11, because the R^{1b} , R^{2b} , and R^{3b} as defined in claim 11 are totally different from Φ^g of Sugiyama.

Moreover, Komoriya does not appear to remedy this deficiency of Sugiyama.

In view of the above, Applicants respectfully submit that claims 11-18 are not rendered obvious by Sugiyama in view of Komoriya.

Reconsideration and withdrawal of the § 103 obviousness rejection are respectfully requested.

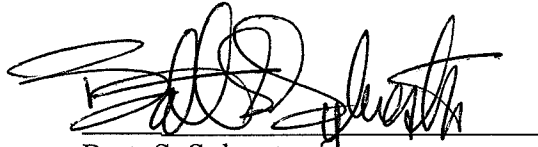
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/540,926

Attorney Docket No.: Q88442

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brett S. Sylvester", written over a horizontal line.

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